

BARRY J. PORTMAN
Federal Public Defender
JOYCE LEAVITT
Assistant Federal Public Defender
555 12th Street, Suite 650
Oakland, CA 94607-3627
(510) 637-3500

Counsel for Defendant CONTRERAS-TOLENTO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. CR 07-0724 DLJ
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER CONTINUING CHANGE OF
)	PLEA DATE AND EXCLUSION OF
)	TIME
ARMANDO CONTRERAS-)	
TOLENTO,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date or change of plea date in this case, currently scheduled for Friday, July 11, 2008, before Honorable D. Lowell Jensen, may be continued to Friday, July 25, 2008, at 9:00 a.m. for change of plea. The reason for the request is that defense counsel will be out of the office on July 11, 2008 and would like to be present during the change of plea. In addition, the case was recently reassigned within the United States Attorney's Office. The parties have discussed a resolution of the case and defense counsel needs additional time to discuss the matter with Mr. Contreras-Tolento as he decides

1 whether to plead with or without an agreement. The parties stipulate that the time from July 11,
2 2008, to July 25, 2008, should be excluded in accordance with the Speedy Trial Act, 18 U.S.C. §§
3 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel.

4
5 /S/
6 DATED: July 8, 2008
7 JOYCE LEAVITT
8 Assistant Federal Public Defender

9 /S/
10 DATED: July 8, 2008
11 JOSHUA HILL
12 Assistant United States Attorney

13 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
14 conformed signature “/s/” within this e-filed document.

15 **ORDER**

16 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date in this
17 case, currently scheduled for Friday, July 11, 2008, before Honorable D. Lowell Jensen, may be
18 continued to Friday, July 25, 2008, at 9:00 a.m. for change of plea.

19
20 //
21

22 //

23 //

24 //

25 //
26

1
2 IT IS FURTHER ORDERED that the time from July 11, 2008, to July 25, 2008, should be
3 excluded in accordance with the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for
4 continuity and adequate preparation of counsel. The Court finds that the ends of justice served by
5 the granting of the continuance outweigh the best interests of the public and the defendant in a
6 speedy and public trial and the failure to grant the requested continuance would unreasonably deny
7 counsel the reasonable time necessary for effective preparation, taking into account due diligence.
8
9
10
11

12 SO ORDERED.
13
14

15 DATED:

HONORABLE D. LOWELL JENSEN
United States District Judge
16
17
18
19
20
21
22
23
24
25
26